



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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March 9, 2000

Mike Glasson, Environmental Coordinator  
West Ridge Resources, Inc.  
P.O. Box 902  
Price, Utah 84501

Re: "C" Canyon Security Gate, West Ridge Resources, Inc., West Ridge Mine,  
ACT/007/041-AM00A, Outgoing File

Dear Mr. Glasson:

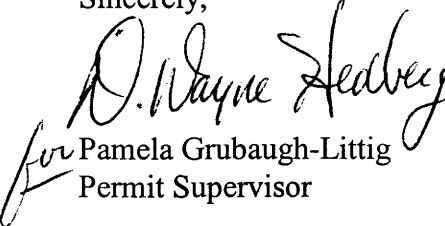
The Division has completed its review of the "C" Canyon Gate amendment for the West Ridge Mine. There are several deficiencies which need correction, prior to a second review from this agency. Please refer to the attached technical analysis document for a detailed description of the outstanding technical deficiencies. Three of the main concerns are outlined below:

1. Because the "C" Canyon County road provides access to a Bureau of Land Management (BLM) leased area, West Ridge Resources, Inc. must coordinate with the BLM and Carbon County to obtain appropriate authorizations and documented approvals allowing West Ridge Resources, Inc. to control access to the 1580 foot section of Carbon County road located above the security gate. The BLM should indicate in the agreement that periodic closure of this portion of the public road is acceptable. A copy of this agreement must be provided to the Division.
2. West Ridge Resources, Inc. must also provide the Division with a copy of the Carbon County documentation granting the operator specific authorization to conduct the proposed mining and reclamation activities on the "C" Canyon Road.
3. West Ridge Resources, Inc. has published a notice in the Sun Advocate directing any public comments or concerns on the proposed road closure to the Carbon County Commission. Unfortunately, this notice does not meet the requirements of R645-300-121 et al. A minimum change that needs to be made is that all public comments should be sent directly to Mr. Lowell Braxton, Division Director. Accordingly, the Division will require West Ridge Resources to republish the mine revision notice relative to the possible future closing of that segment of the "C" Canyon road, for four consecutive

weeks. We would be glad to review a draft revised notice if you are unsure about the publication requirements.

Please provide a response to all of the deficiencies no later than April 8, 2000. If you have any questions regarding this letter, please call me at (801) 538-5268.

Sincerely,

  
for Pamela Grubaugh-Littig  
Permit Supervisor

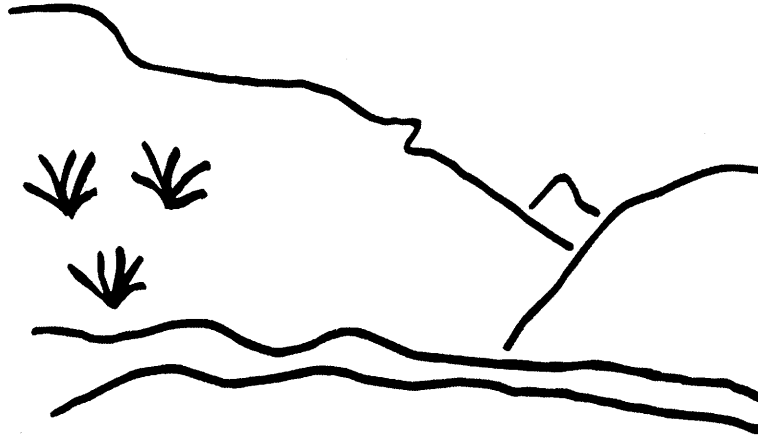
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Enclosures

cc: Joe Wilcox, OSM  
Richard Manus, BLM  
Mark Page, Water Rights  
Dave Ariotti, DEQ  
Derris Jones, Wildlife Resources  
David Terry, SITLA  
Price Field Office  
Mary Ann Wright, OGM w/o

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# State of Utah



## Utah Oil Gas and Mining

### Coal Regulatory Program

West Ridge Mine  
"C" Canyon Road  
ACT/007/041-AM00A  
Technical Analysis  
March 9, 2000

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## INTRODUCTION

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# INTRODUCTION

Due to vandalism and a concern for public safety at the still under construction West Ridge Mine, the permittee installed two gate standards prior to the November 10, 1999 UDNR/OGM inspection. The location of the standards was noted to be two-tenths of a mile down canyon of the Mine's UDNR/OGM permittee identification sign. The gate location is approximately 285 feet south of the southern boundary of Federal lease SL-068754, and controls access to approximately 1600 feet of Carbon County Class "B" road, as determined by UDNR/OGM findings dated March 25, 1998. This issue was discussed with the permittee on December 14, 1999 and a letter was sent December 18, 1999 advising the permittee to permit that portion of the Carbon County road which they desired to control access on.

Amendment ACT/007/041-AM00A was received in the UDNR/OGM/ SLO on February 7, 2000 and in the Price office on February 9, 2000.

## OPERATION PLAN

### ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

#### Analysis:

##### Road Systems

The "C" Canyon road is a Carbon County Class "B" road, constructed and maintained by the County. A "right-of-way" (to construct, a 200 foot width and to operate, a 100 foot width) was obtained by the County from the BLM, Utah SITLA and private landowners to build the road. The portion of road which is under review through this application received a "right-of-way" approval from the BLM, pursuant to the requirements of Title V, of the Federal Land Policy and Management Act of 1976, and regulations found within Title 43 of the Code of Federal Regulations, part 2800.

As part of submittal AM00A, the applicant has submitted a revised Plate 5-5, Surface Facility Map, which includes the portion of the County Road under review from the surface facilities disturbed area perimeter to the gate within the disturbed acreage. Not all of this portion of the road (down to the gate) is shown on the plate. The same color (tan) is used to delineate the disturbance of the road, but a solid line is used around the main facilities disturbance; a short dash/long dash/short dash line is used to delineate the road acreage. There is no verbiage or legend description in place to define the difference between the solid brown line about the facilities disturbance and the short dash/long dash/short dash brown line on either side of the access road. The disturbed area line should run along the top of the cut banks and the toe of the fill areas on this map, as these cuts and fills are part of the road construction. The permittee is responsible for the stabilization of all areas within the Mine's disturbed area boundary.

Revised Map 5-5 also shows a brown short dash/long dash/short dash down the center of the mine access road which was designated as a Carbon County class "B" road when the West Ridge Mine permit was granted on April 2, 1999. The application indicates that the permittee continues to make the stand that this portion of the road should still be considered a County road.

The text of page 5-6 of submittal AM00A makes reference to "when the gate is closed by the operator".

Text on Page 5-7 of the submittal makes the following statement; "Also included in Appendix 5-2 is an approval letter from Carbon County, allowing for the periodic closure of approximately 960' of the "C" Canyon Road from the gate to the original mine permit area. The permit area (should be disturbed area) has been extended to the gate, as shown on Plate 4-1, (Existing Land Use). The permit

## OPERATION PLAN

area may have been extended on Plate 4-1 within this application, but additional verification that this has been submitted to and approved by the BLM is needed.

The permittee published a notice of the times proposed for closure of the gate for three weeks (January 20, 27, and February 1). The publication was unclear, and the identification of to whom comments were to be forwarded was incorrect. The publication did not meet the requirements of R645-103-234 and R645-301-121.

The statement "when the gate is closed by the operator" and the reference to "periodic closure as approved by the County" cannot be used in connection with a Carbon County Class "B" road, as determined by the UDNR/OGM analysis and findings on the "C" Canyon Road dated March 25, 1998. Finding #2, Page 5 of the March 25, 1998 document states the following; "The road up to the mine disturbed area boundary will be maintained by the County with public funds as a **multiple use, open-access, public road not subject to the control of Andalex or any other private entity.**"

In reference to Analysis #2, page 5, (first bullet statement), "With the C Canyon road being a public road, Andalex will not be able to deny or limit use of this road to anyone". Similarly, analyses and findings throughout the Division's document indicate that this road is to be maintained as having open access to the public, and not subject to the control of Andalex or any other private entity.

The installation of the security gate on the "C" Canyon road was completed under authorization by the applicant and paid for by same. It is 0.2 miles down canyon of the Mine's permittee identification sign and approximately 285 feet outside of the Federally permitted lease area and is an attempt by West Ridge Resources, Inc. to control access on a portion of the Carbon County road. **Under their current permit, West Ridge Resources, Inc. cannot control access through the public roads finding made during the permitting process on that County road, based on agreements with the County.**

If West Ridge Resources, Inc. intends to control the access on this road up canyon of the security gate, the road including the gate must be permitted as a **primary road and subject to the requirements of the R645 coal rules.**

To accomplish the aforementioned, the following must be performed:

- 1) The permittee needs to apply to the BLM for a "right-of-way" for that portion of the road above the gate (1580 feet), or an "encroachment permit" or some other right-of-entry document, such that the permittee can conduct mining and reclamation activities on this portion of the "C" Canyon County road.
- 2) The permittee must apply to Carbon County for authorization to control access and conduct mining and reclamation activities on this portion of the C Canyon County road.
- 3) If the permittee receives a "right-of-entry" or an "encroachment permit" for that portion of the County road, same must submit a revised application to permit the "C" Canyon road above the

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gate, (which includes the gate) as a County road subject to the requirements of the R645 coal rules for a primary road. **All government entity approval documentation must be included as part of that submittal.**

- 4) The Permittee must satisfy the requirements of public notice for closing or restricting access on a public road.
- 5) The aforementioned requirements are relative to the permitting of the "C" Canyon road relative to the operational phase of the West Ridge Mine. The permittee must also address the disposition of the road and removal of the gate upon final reclamation. It is suggested that upon the reclamation of the mine and the cessation of the use of the gate, that an agreement be in place between the BLM, West Ridge Resources and Carbon County which will document how the road is to be left.
- 6) A complete amendment must be submitted which addresses all of the requirements for permitting this section of road. This should include maps that delineate the entire disturbed area boundary and gate area.

### Findings:

Amendment ACT/007/41-AM00A is not adequate. The permittee must address the deficiencies identified in the above analysis prior to approval. Additional coordination with Carbon County, and the United States Department of the Interior, Bureau of Land Management is necessary prior to re-submittal of this document to the UDNR/OGM for review.